

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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Th7d

April 17, 2003

TO: Commissioners and Interested Persons

FROM: Charles Lester, Deputy Director
Diane Landry, District Manager
Susan Craig, Coastal Planner

SUBJECT: **CITY OF SANTA CRUZ: LOCAL COASTAL PROGRAM MAJOR AMENDMENT NO. 1-03 (Part A).** For public hearing and Commission action at its meeting of May 2003 in Monterey.

SYNOPSIS

The City of Santa Cruz (see Exhibit 1) is proposing to amend the Local Coastal Program as follows:

1. Amend the land use designation map to re-designate the following parcels from RVC (Regional Visitor Commercial) to PK/CF (Parks/Community Facilities): 1) The Fun Spot; 2) Parking Lot #18; 3) Lighthouse Liquors; 4) Feed and Mercantile.
2. Amend the Zoning Map to rezone the Fun Spot and Parking Lot #18 parcels from CB (Beach Commercial) to PF/PK (Public Facilities/Parks) and to rezone the Lighthouse Liquors and Feed and Mercantile Sites from RTC (Tourist Residential/Beach Commercial) to PF/PK (Public Facilities/Parks).

This amendment, which constitutes the majority of a larger amendment submittal, was filed on April 4, 2003. The Planning Commission and the City Council held noticed public hearings. The other components of the amendment regarding creation of a high density overlay district, FEMA designation for flood zones, and distances between buildings on the same lot will be scheduled for a future hearing.

SUMMARY OF STAFF RECOMMENDATION

Staff has reviewed the proposed amendments to the Zoning Ordinance for consistency with the certified Land Use Plan. Issues raised by the proposed amendments include visitor-serving coastal recreation. As discussed in detail below, Staff recommends **approval** of LCP Major Amendment No. 1-03 (Part A) as submitted.

ANALYSIS CRITERIA

The relationship between the Coastal Act and a local government's Local Coastal Program (LCP) can be described as a three-tiered hierarchy with the Coastal Act setting generally broad statewide policies. The Land Use Plan (LUP) portion of the LCP incorporates and refines Coastal Act policies for the local



California Coastal Commission

jurisdiction, giving local guidance as to the kinds, locations, and intensities of coastal development. The Implementation Plan (IP), or zoning portion of an LCP typically sets forth zone districts and site regulations which are the final refinement specifying how coastal development is to proceed on a particular parcel. The IP must be consistent with, and adequate to carry out, the policies of the LUP. The LUP must be consistent with the Coastal Act.

The proposed amendment affects the LUP and IP components of the City of Santa Cruz LCP. The standard of review for land use plan amendments is that they must be consistent with the Chapter 3 policies of the Coastal Act. The standard of review for implementation plan amendments is that they must be consistent with and adequate to carry out the policies of the certified coastal land use plan.

ADDITIONAL INFORMATION

Further information on the submittal may be obtained from Susan Craig at the Central Coast District Office of the Coastal Commission at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.

Staff Report Contents

page

SYNOPSIS	1
I. STAFF RECOMMENDATION: MOTIONS AND RESOLUTIONS.....	2
II. FINDINGS AND DECLARATIONS	3
A. Amendment Description	3
B. Analysis of Land Use Plan Amendments	4
C. Analysis of Implementation Plan (Zoning Ordinance) Amendments	5
III. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).....	6

I. STAFF RECOMMENDATION: MOTIONS AND RESOLUTIONS

Staff recommends adoption of the following resolutions:

Resolution I. (Resolution to approve City of Santa Cruz Land Use Plan Major Amendment No. 1-03 (Part A) as submitted)

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the land use plan amendment component as submitted and adoption of the following resolution and findings. The motion passes only upon an affirmative vote of a majority of the appointed Commissioners.

Motion #1: I move that the Commission certify Major Amendment STC-MAJ-1-03 (Part A) to the City of Santa Cruz Land Use Plan as submitted by the City.

Resolution to Certify Land Use Plan Amendment as Submitted: The Commission hereby certifies Major Amendment STC-MAJ-1-03 (Part A) to the Land Use Plan of the City of Santa Cruz as submitted and adopts the findings set forth below on grounds that the land use plan will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan complies with the California Environmental Quality Act



because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the land use plan.

Resolution II. (Resolution to approve City of Santa Cruz Implementation Plan Major Amendment No. 1-03 (Part A) as submitted)

Staff recommends a **NO** vote on the motion below. Failure of this motion will result in certification of the Implementation Plan amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. *I move that the Commission **reject** Major Amendment #1-03(Part A) to the City of Santa Cruz Local Coastal Program Implementation Plan as submitted.*

Resolution to Certify the Implementation Plan Amendment as Submitted: *The Commission hereby **certifies** Major Amendment #1-03 (Part A) to the Implementation Plan of the City of Santa Cruz Local Coastal Program, as submitted, and adopts the findings set forth below on grounds that the Implementation Plan conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan amendment will meet the requirements of the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Plan amendment as submitted.*

II. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. Amendment Description

The amendment proposes to re-designate four properties in the area of the planned Depot Site Park from RVC (Regional Visitor Commercial) to PK/CF (Parks/Community Facilities) (see Exhibit 2 for Land Use Map). The parcels include the Fun Spot at 35 Pacific Avenue, Parking Lot #18 (adjacent to the Fun Spot), Lighthouse Liquors (101 Washington St.), and the Feed and Mercantile at 123 Center St. The amendment also proposes to rezone the Fun Spot and Parking Lot #18 from CB (Beach Commercial) to PF/PK (Public Facilities/Parks), and Lighthouse Liquors and the Feed and Mercantile from RTC (Tourist Residential/Beach Commercial) to PF/PK (Public Facilities/Parks) (see Exhibit 3 for Zoning Map). Please see the table below for a summary of the existing and proposed Land Use Plan and Zoning designations.

SITE	Area (Sq. Ft.)	Existing LUP Designation	Proposed LUP Designation	Existing Zoning District	Proposed Zoning District
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Fun Spot	12,566	RVC	PK/CF	CB	PF/PK
Parking Lot 18	18,357	RVC	PK/CF	CB	PF/PK
Lighthouse Liquors	20,793	RVC	PK/CF	RTC	PF/PK
Feed & Mercantile	24,770	RVC	PK/CF	RTC	PF/PK

B. Analysis of Land Use Plan Amendments

The following Coastal Act policies provide for recreational opportunities along the coast:

Section 30210: *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30213 (in part): *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

Section 30222: *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

Section 30223: *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

The amendment proposes to re-designate four properties (the Fun Spot, Parking Lot #18, the Feed and Mercantile, and Lighthouse Liquors) from RVC (Regional Visitor Commercial) to PK/CF (Parks/Community Facility) (see Exhibit 2 for land use map). The PK designation includes neighborhood, community, and regional parklands used for passive and/or active recreational uses by residents and visitors. The CF designation identifies existing and potential community facilities, such as museums, to acknowledge their location and to ensure that suitable area will be set aside to accommodate the need for these facilities.

The four properties proposed for re-designation are located adjacent to the former Union Pacific Railroad property, which is now owned by the City of Santa Cruz. In June 2002, the Commission approved an amendment to incorporate the City's *Beach and South of Laurel (BSOL) Comprehensive Area Plan* into the LCP. That amendment re-designated the former railroad property from RVC (Regional Visitor Commercial) to PK/CF (Parks Community/Facilities) to provide for redevelopment of the property as the Depot Site Park (see Exhibit 4). The Depot Site Park will accommodate a future multi-modal transportation station, pedestrian and bicycle trails, multi-use sports fields, a public plaza, a natural history museum, and approximately 214 parking spaces. The Depot site area is located approximately 700 feet north of the Santa Cruz Beach and Boardwalk area, as well as adjacent to railroad tracks that support visitor services provided by Roaring Camp and Big Trees Railroad, as well as the Davenport Line of the



Union Pacific Railroad.

The four properties proposed for re-designation were not included in the *BSOL Comprehensive Area Plan* amendment because the City had not yet acquired these properties upon City adoption of the BSOL Plan in 1998. The City now owns all four properties and intends to develop them in accordance with the Depot Site Master Plan. A portion of the Feed and Mercantile property will be used for development of a playing field, with the remainder of the site involved in the realignment of Washington Street. The planned use for the Lighthouse Liquors site includes construction of an approximately 30,000 square foot Natural History Museum. The Fun Spot and Parking Lot #18 will either be developed as a permanent skateboard park or as an entryway into Depot Site Park and a small plaza.

The current designation of RVC (Regional Visitor Commercial) primarily emphasizes the development of visitor-serving uses such as hotels, motels, restaurants, amusements, and also allows for the development of mixed use and residential areas. The re-designation of these four properties from RVC to PK/CF (Parks/Community Facilities) will disallow development of hotels, motels, residential use, etc., but will continue to provide for certain types of visitor-serving uses such as parkland, a museum, a public plaza, trails, and multi-modal transportation uses. The nearby Beach Hill and Beach Commercial areas, which are designated RVC, will continue to provide for hotel, motel, and restaurants use in this highly visited area of Santa Cruz.

The re-designation of these four properties from RVC to PK/CF is appropriate to accommodate the future planned uses included in the Depot Site Master Plan, which will broaden the recreational activities available to visitors and residents alike. Thus the proposed amendment, as submitted, is consistent with the recreation policies of the Coastal Act.

C. Analysis of Implementation Plan (Zoning Ordinance) Amendments

Beach and South of Laurel Plan Community Facilities Policy 6.1: *Develop the depot site as a focal point of community activity by providing uses including, but not limited to, parking, a small scale multi-modal transit facility, and recreational open space.*

Beach and South of Laurel Plan Circulation Policy 3.34: *Maintain a minimum of 3,690 public parking spaces in the overall Beach and South of Laurel Area and approve no projects that would reduce this number below the floor figure of 3,690.*

Parks and Recreation Policy 1.7: *Develop plans to repair, maintain, and maximize public access and enjoyment of recreational areas along the coastline consistent with sound resource conservation principles, safety, and rights of private property owners.*

Parks and Recreation Policy 1.7.1: *Maintain and enhance vehicular, transit, bicycling, and pedestrian access to coastal recreation areas and points.*

Land Use Policy 3.5: *Protect coastal recreation areas, maintain all existing coastal access points open to the public, and enhance public access, open space quality and recreational enjoyment in a manner*



that is consistent with the California Coastal Act.

Land Use Policy 3.5.5: *Develop and implement plans to maximize public access and enjoyment of recreation areas along the coastline.*

The amendment proposes to rezone the Fun Spot and Parking Lot #18 parcels from CB (Beach Commercial) to PF/PK (Public Facilities/Parks) and to rezone the Feed and Mercantile and Lighthouse Liquors parcels from RTC (Tourist Residential/Beach Commercial) to PF/PK (Public Facilities/Parks) (see Exhibit 3 for zoning map). The purpose of the Public Facilities District is to designate public buildings and facilities, such as museums, to ensure that there is a compatible relationship between such uses and the surrounding area. The purpose of the Parks District is to designate sites for public parks and to ensure that there is a compatible relationship between such parks and the surrounding area.

These amendments involve potential changes to visitor serving and/or recreational uses. The current zoning of RTC (Tourist Residential/Beach Commercial) and CB (Beach Commercial) allows for a variety of uses, including lodging and restaurants. The rezoning of these four parcels to PF/PK (Public Facilities/Parks) will eliminate lodging and restaurants as allowable uses. However, the nearby Beach Hill and Beach Commercial areas, which are zoned RTC or CB, will continue to provide for hotel, motel, and restaurant use in this highly visited area of Santa Cruz. Also, the new zoning for these four parcels will allow public parks, recreational facilities, and museum use. This is consistent with and adequate to implement the proposed PK/CF (Parks/Community Facilities) designation.

The Parking Lot #18 parcel currently provides 9 public parking spaces in the Beach area. This parcel is proposed for development as either a permanent skateboard park or as an entryway into Depot Site Park and a small plaza. Beach and South of Laurel Plan (BSOL) Circulation Policy 3.34 requires the maintenance of a minimum of 3,690 public parking spaces in the overall Beach and South of Laurel area. The total number of estimated public parking spaces in the BSOL area is 4,098, more than 400 spaces greater than the minimum required. Also, the Depot Site currently contains approximately 129 parking spaces. Redevelopment of the Depot Site as a park will include approximately 214 parking spaces, an increase of 85 spaces. Thus, the loss of the 9 spaces at Parking Lot #18 is not inconsistent with BSOL Circulation Policy 3.34.

In conclusion, the proposed amendments regarding visitor-serving and recreational uses are appropriate to implement the underlying land use designations and are consistent with the amended land use policies. Therefore, the Commission finds that regarding visitor-serving/recreational uses, the proposed Implementation Plan amendment, as submitted, is consistent with the amended Land Use Plan and is adequate to carry out its provisions.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's review and development process for Local Coastal Programs and amendments to them has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis on LCP amendments, although the Commission can and does utilize any



environmental information that the local government has developed. Approval of the amendment, as submitted, will not have significant environmental effects, consistent with the California Environmental Quality Act.

